

REMARKS

Request for Reconsideration

Applicant has carefully considered the matters raised by the Examiner in the outstanding Office Action but remains of the opinion that patentable subject matter is present. Applicant respectfully requests reconsideration of the Examiner's position based on the above amendments to the claims and the following remarks.

Claims Status

Claims 1 and 3-9 are pending in this Application.

Claim 1 has been amended herein to add the limitations of Claim 2 and Claim 2 has been canceled.

Double Patenting Rejection

Claims 1-9 had been provisionally rejected on the grounds of non-statutory obviousness-type double patenting based on Claims 1-10 of copending Application Number 10/718,408.

A Terminal Disclaimer is submitted herewith for the '408 Application. Respectfully, Applicants have overcome the double patenting rejection. PTO Form 2038 is enclosed herewith authorizing payment of the appropriate Disclaimer Fee.

Prior Art Rejection

Claims 1, 3-6 and 9 had been rejected as being anticipated by either Hiwara or Makoto. Claims 7 and 8 had been rejected as being anticipated by or obvious over Kiwara as evidenced by Bassemir.

Claim 2 had been objected to as being dependent upon a rejected claim but was indicated allowable if rewritten in independent form. Claim 2 was dependent upon Claim 1 and Claim 1 has been amended herein to add the limitations of Claim 2. Thus, Claim 2 has been canceled herein. Claims 3-9 ultimately depend upon Claim 1.

In view of the amendments made to Claim 1, it is respectfully submitted that the prior art rejections are now moot and the claims are allowable.

Conclusion

In view of the foregoing and the enclosed, it is respectfully submitted that the Application is in condition for allowance and such action is respectfully requested.

Should any further fees or extensions of time be necessary in order to maintain this Application in pending condition, appropriate requests are hereby made and authorization is given to debit account #02-2275.

Respectfully submitted,

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Encl: Executed Terminal Disclaimer
Executed PTO Form 2038 for \$130.00.